

Virtual PACE: Marketing

In the proposal submitted to CMS in April, DHS proposed that any marketing materials developed by ICOs be required to meet an integrated set of standards, and that PACE be the basis for developing requirements and any review processes. DHS now proposes adopting PACE prohibited marketing practices and marketing material review standards as the basis for Virtual PACE marketing standards.

Prohibited Marketing Practices

As in PACE, Virtual PACE would prohibit certain marketing practices:

- Discrimination
- Activities that mislead or confuse potential participants, or misrepresent the program, CMS, or State
- Gifts or payments to induce enrollment
- Contracting outreach where sole responsibility involves direct contact to solicit enrollment
- Unsolicited door-to-door marketing

Marketing Material Standards

These standards, based on those for the PACE program as described in “PACE Provider Application and State Amendment Processing” and modified for the Virtual PACE program, will be the requirements for Virtual PACE marketing materials developed by ICOs:

- Materials accurately characterize the Virtual PACE program model
- Materials include statement that participants may opt-out on a monthly basis and include reasons for (and limitations on) involuntary disenrollment
- Materials include description of integrated benefit package, including Medicare, Medicaid state plan, and home and community based services.
- Materials state that participant must receive care via the ICO’s contracted provider network as approved in the participant’s care plan except in emergencies
- Materials include correct, clear, and accurate information regarding any participant liability or premiums.
- Materials include contact information for both the ICO and other enrollment or options counseling resources as applicable.

Marketing Material Review Process

Marketing materials will be submitted by ICOs in Phase Two of the ICO certification process. At that time, DHS and CMS will jointly review materials to verify that meet the above standards, all program information is correct, and contact information is complete and correct. Accuracy of program information will be compared to program requirements outlined in the DHS-CMS MOU, ICO contracts, and any additional operational detail documents developed by DHS and/or CMS.

Reviews of marketing material revisions will be subject to the same criteria, with the process to be negotiated between DHS and CMS once the above principals are agreed.